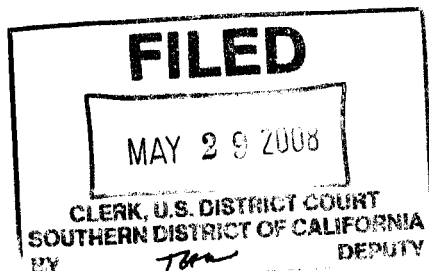


Handwritten: 7
AUSA



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Rifida AGUNDEZ-Lara

Defendant.

Mag. Case No.

'08 MJ 8479

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Deported Alien Found In the United States

The undersigned complainant being duly sworn states:

On or about May 21, 2008, within the Southern District of California, defendant Rifida AGUNDEZ-Lara, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and (557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Handwritten signature: King Rosa

Deportation Officer
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29TH DAY OF MAY 2008.

Handwritten signature: Peter C. Lewis

PETER C. LEWIS
U. S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Rifida AGUNDEZ-Lara

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the
6 apprehending Immigration Enforcement Agent M. Gallaga.

7 On May 21, 2008, the defendant, identified as Rifida AGUNDEZ-Lara, was arrested in
8 Calexico, California, by the Calexico Police Department, for violation of 11378 H&S,
9 Possession for Sale Methamphetamine, and 273(A) PC Child Endangerment.

10 Immigration Enforcement Agent M. Gallaga subsequently encountered the defendant in
11 custody at the Imperial County Jail and placed an immigration detainer.

12 On May 27, 2008, the defendant was referred to the custody of United States Immigration
13 and Customs Enforcement in Imperial, California. AGUNDEZ was arrested and taken to the
14 Imperial Valley Immigration and Customs Enforcement Office for processing.

15 AGUNDEZ was transported to the El Centro Regional Medical Center due to stomach
16 pains. AGUNDEZ is scheduled to have gall stone surgery on May 28, 2008.

17 Record checks of AGUNDEZ revealed she was previously ordered deported to Mexico
18 by an Immigration Judge on June 24, 2002. Further record checks revealed AGUNDEZ has a
19 criminal record.

20 There is no evidence that AGUNDEZ ever sought or received permission from the
21 Attorney General of the United States or his designated successor, the Secretary of the
22 Department of Homeland Security, for permission to re-enter the United States.

23 Based upon the foregoing information, there is probable cause to believe Rifida
24 AGUNDEZ-Lara has illegally re-entered the United States after deportation, in violation of Title
25 8 of the United States Code 1326, Deported Alien Found in the United States.
26
27
28